DT06 Rec'd PCT/PT0

Approved for us ough 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: O.S. DEPARTMENT OF COMMERCE bugh 10/31/2002. OMB 0651-0031

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TOANIONITEAL	,	Application Number	10/089,525	
TRANSMITTAL FORM  (to be used for all correspondence after initial filing)  Total Number of Pages in This Submission		Filing Date	March 26, 2002	
		First Named Inventor	Marth, Jamey D.	
		Group Art Unit		
		Examiner Name		
		Attorney Docket Number	19452A-000610US	
	ENCLO	SURES (check all that apply)	•	
Fee Transmittal Form	Assigni	ment Papers Application)	After Allowance Communication to Group	
Fee Attached	Drawing(s)		Appeal Communication to Board of Appeals and Interferences	
Amendment / Reply	Licensing-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final	Petition		Proprietary Information	
Affidavits/declaration(s)	Petition to Convert to a Provisional Application		Status Letter	
Extension of Time Request	Power of Attorney, Revocation Change of Correspondence Address		Other Enclosure(s) (please identify below):	
Express Abandonment Request		al Disclaimer st for Refund	Response to Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected	
Information Disclosure Statement			Office (DO/EO/US): Fee Transmittal For PTO/SB17 with authorization to charge Deposit Account No. 20-1430 in the	
	CD, Nu	umber of CD(s)	amount of \$265 for surcharge (\$65) and two month extension of time (\$200) (1 pg + 1 pg. copy); Executed Declaration Forr PTO/SB/01 (2 pgs.); Copy of Notification of Missing Requirements Under 35 U.S.C §371 in the United States Designated/Elected Office (DO/EO/US) (	
Certified Copy of Priority		- " - 100 4	pgs.); and Return Postcard authorized to charge any additional fees to	
Document(s)	Rema	Remarks Deposit Account 20-1430.		
Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Please note that a sequence listing response is being submitted under separate cover Box Sequence.			
		APPLICANT, ATTORNEY, C	R AGENT	
Firm Townsend and			o. 44,879	
Signature	1, 1	IM		
Date September 30, 200	2	<u> </u>		
	CE	RTIFICATE OF MAILING		
I hereby certify that this correspondence is class mail in an envelope addressed to: Co	being depo ommissioner	sited with the United States Post for Patents, Washington, D.C. 2	tal Service with sufficient postage as first 20231 on this date: September 30, 2002	
Typed or printed name				
.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	2 (1)		Date September 30, 2002	

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PTO/SB/17 (11-01) e through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Complete if Known **FEE TRANSMITTAL** 10/089.525 Application Number for FY 2002 Filing Date Patent fees are subject to annual revision. Marth, Jamey D. First Named Inventor Applicant claims small entity status. See 37 CFR 1.27 **Examiner Name** Not yet assigned Not yet assigned Group Art Unit 19452A-000610US **TOTAL AMOUNT OF PAYMENT** (\$) 265 Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) 3. ADDITIONAL FEES MoneyOrder Other Credit Card Check Entity Small Entity Large Deposit Account Fee Fee Fee Fee Description Deposit Code Code (\$) Paid (\$) Account 20-1430 205 65 105 130 65 Surcharge - late filing fee or oath Number 227 Surcharge - late provisional filing fee 127 50 25 or cover sheet. Deposit 139 130 139 130 Non-English specification Townsend and Townsend and Crew LLP Account 147 2,520 147 2,520 For filing a request for reexamination Requesting publication of SIR prior to 112 920\* 112 920\* The Commissioner is authorized to: (check all that apply) Examiner action Charge fee(s) indicated below Credit any overpayments 113 1.840 113 1.8401 Requesting publication of SIR after Charge any additional fee(s) during the pendency of this application Examiner action Charge fee(s) indicated below, except for the filing fee 115 110 215 55 Extension for reply within first month to the above-identified deposit account 116 400 216 200 Extension for reply within second 200 **FEE CALCULATION** 217 460 Extension for reply within third month 117 920 **BASIC FILING FEE** 118 1,440 218 720 Extension for reply within fourth \_arge Entity Small Entity Fee Description 128 1,960 228 980 Extension for reply within fifth month Fee Paid Code (\$) Code (\$) 219 160 Notice of Appeal 119 320 Utility filing fee 201 370 101 740 320 220 160 Filing a brief in support of an appeal 120 106 330 206 165 Design filing fee 121 280 221 140 Request for oral hearing 107 510 207 Plant filing fee Petition to institute a public use 138 138 1,510 1,510 proceeding 208 370 Reissue filing fee 108 740 80 Provisional filing fee 240 55 Petition to revive - unavoidable 114 160 140 110 Petition to revive - unintentional 141 1.280 241 640 SUBTOTAL (1) 142 1,280 242 640 Utility issue fee (or reissue) 243 Design issue fee 143 460 230 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 144 620 244 310 Plant issue fee Fees from Petitions to the Commissioner 122 122 130 130 Fee Paid 10/09/2002 ЖАХРАБИК 00<del>0000</del>61\_201 4 10 1008 1725 \_below 123 Petitions related to provisional 123 50 50 applications Independent65.700 CH 01 FC:254 126 180 126 180 Submission of Information Disclosure Claims 581 40 Recording each patent assignment 10/09/2002 MAAS@AGH 00000061 201430 581 40 10089\$25 per property (times number of properties) Large Entity 0. 0(Schall Entity 02 FC:216 246 Filing a submission after final rejection 146 740 370 (37 ČFR § 1.129(a)) Fee Description For each additional invention to be (\$) ode (\$) 149 740 249 370 Code examined (37 CFR § 1.129(b)) Claims in excess of 20 103 18 203 179 279 370 Request for Continued Examination 740 Independent claims in excess of 3 102 84 202 Multiple dependent claim, if not paid 104 280 204 140 169 Request for expedited examination 169 900 900 \*\* Reissue independent claims 109 84 209 42 of a design application over original patent Reissue claims in excess of 20 Other fee (specify) 110 18 210 and over original patent (\$)265 \*Reduced by Basic Filing Fee Paid SUBTOTAL (3) SUBTOTAL (2) \*\*or number previously paid, if greater; For Reissues, see above Complete (if applicable) SUBMITTED BY 415-576-0200 44,879 Telephone Jean M. Lockyer, Ph.D Name (Print/Type) September 30, 2002 Date Signature WARNING: Information on this form may become public. Credit card information should not be

included of this form. Provide credit card information and authorization on PTO-2038.

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09/30/1999









## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PC United States Patent and Trademark Offit Washington, D.C., 202

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

10/089,525 Jamey D Marth 19452A-6-FUS

INTERNATIONAL APPLICATION NO.

PCT/US00/26550

LA. FILING DATE PRIORITY DATE

Kevin L Bastian Townsend and Townsend and Crew Two Embarcadero Center 8th Floor San Francisco, CA 94111



09/27/2000

Date Mailed: 05/30/2002

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

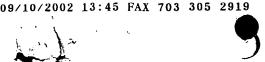
- Ü.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), Identifying the application
  by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).





The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as s t forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase Patentin Software, call (703) 306-2600
  - For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

#### FRANCINE YOUNG

Telephone: (703) 305-3662

### **PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/089-525	PCT/US00/26550	19452A-6-1US
10/1107-323		

FORM PCT/DO/EO/905 (371 Formalities Notice)